

Senate Bill No. 53

CHAPTER 612

An act relating to transportation.

[Approved by Governor September 30, 2008. Filed with
Secretary of State September 30, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

SB 53, Ducheny. Department of Railroads.

Existing law creates the Department of Transportation in the Business, Transportation and Housing Agency, with various powers and duties relative to the intercity rail passenger program, among other transportation programs. Existing law creates the High-Speed Rail Authority, with various powers and duties relative to development and implementation of a high-speed passenger train system. Existing law creates the Public Utilities Commission, with various powers and duties relative to railroads, among other responsibilities.

This bill would require the California Research Bureau, by May 1, 2009, and in consultation with the Business, Transportation and Housing Agency, the Department of Transportation, the California Transportation Commission, the Public Utilities Commission, the California High-Speed Rail Authority, and the Office of the Legislative Analyst, to analyze and report to the Legislature its recommendations and the estimated costs for improving the state's rail functions, as specified.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) The State of California needs to ensure efficient and environmentally responsible movement of rail passengers and goods for all Californians. Currently, the Public Utilities Commission, the Business, Transportation and Housing Agency, the Department of Transportation, the California High-Speed Rail Authority, the California Transportation Commission, and local government entities all have responsibility for different aspects of the system for overseeing and regulating railroad activities in California.

(2) For optimum efficiency in state government and for health, safety, and mobility benefits for California's residents, California should strive for the best coordination of the state's rail planning, funding, operation, and system safety functions.

(b) To that end, the California Research Bureau, in consultation with the Business, Transportation and Housing Agency, the Department of Transportation, the California Transportation Commission, the Public

Utilities Commission, the California High Speed Rail Authority, and the Office of the Legislative Analyst, shall do all of the following:

(1) Analyze and make recommendations for improving the state's rail functions.

(2) Make recommendations for improving oversight, regulation, and efficiency of those state agencies necessary to improve passenger and freight rail mobility in California.

(3) Estimate any costs associated with the implementation of its recommendations.

(c) Issues to be analyzed pursuant to subdivision (b) shall include, but not be limited to, all of the following:

(1) How to improve the efficiency, performance, and stability of rail activities funded in part or in whole with state funds.

(2) The benefits and liabilities of establishing one accountable state commission or department responsible for the oversight, regulation, identification, and prioritization of rail transportation and safety programs and projects, including, but not limited to, rail grade crossings and separations, rail equipment procurement and passenger service, the provision of traditional passenger rail and high-speed rail service, and rail safety regulation and oversight.

(3) Issues the Legislature should consider if legislation is introduced to consolidate any, or all, of the functions, responsibilities, or activities of the five state agencies with jurisdiction over rail-related matters into one or more state agencies, commissions, or departments.

(d) In preparing analysis and making recommendations pursuant to this act, the California Research Bureau shall take into account and apply all authorities, requirements, and restrictions under the California State Constitution, federal law, and state law. No later than May 1, 2009, the California Research Bureau shall report its findings pursuant to this act to the Senate Committee on Transportation and Housing, the Assembly Committee on Transportation, and the Joint Legislative Budget Committee.